

REMARKS

In the action of March 12, 2010, the examiner objected to the disclosure, citing an incorrect recitation of an application serial No.; rejected claims 1, 2, 6, 7 and 9-12 under 35 U.S.C 102(e) as anticipate by Lev et al.; and rejected claims 3-5 under 35 U.S.C 103(a) as unpatentable over Lev in view of Moret et al.

Applicant has amended the claims to recite a power toothbrush including positive recitation of a brushhead assembly, a handle and a brushhead attachment system, with the handle having a fixed receiving portion. Applicant repeats the arguments in favor of patentability made in the amendment of January 12, 2010. The examiner in the action of June 15, 2009, and reiterated in the final rejection of March 12, 2010, indicated that a first connection arrangement 158 and 159 prevents rotation of the head portion of the toothbrush relative to the handle portion. This, however, appears not to be true. Looking at Figures 9 and 10 of Lev et al. in particular, it is noted that there is no physical connection between element 154 (containing notch 159) and handle 128. Element 154 is a seal which is not a fixed part of handle 128 and is in fact separate from the handle. Note that claims 1, 10 and 12 now specify positively that the claimed receiving portion of the handle is fixed. Projection 158 of Lev can be pushed into a notch 159 in seal 154. However, the purpose of this connection is that as projection 158 moves into notch 159 it pushes seal 154 against contact plate 48. This ultimately results in operation of the toothbrush when it is in its automatic mode. However, and most importantly, there is nothing to prevent seal 154 from rotating relative to handle 128. Hence, there is no structure in Lev which prevents head portion 132 from rotating relative to handle 128. Applicant's claims now positively recite specific structure to prevent such rotation.

Accordingly, the Lev structure does not teach a first connection arrangement to prevent rotational movement of brushhead assembly relative to the handle. Since structure to accomplish such a limitation now appears positively in all of the independent claims 1, 10 and 12, those claims are allowable over Lev.

Since claims 2-9 and 11 are dependent upon the allowable independent claims, those claims are also allowable.

Note in addition, claim 5, which sets forth a housing portion and a disengaging member

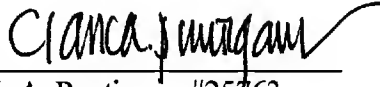
which acts against the engaging member, forcing it out of the opening in the handle to permit ready removal of the brushhead from the receiving portion. Applicant's attorney has reviewed the examiner's comments with respect to Moret and Lev relative to claim 5, but fails to find such a structure.

This is to request a one-month extension of time.

Allowance of the application is now respectfully requested.

Respectfully submitted,

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